

REVIEW FOR APPLICABILITY OF/COMPLIANCE WITH ORDINANCES/POLICIES

FOR PURPOSES OF CONSIDERATION OF
CASA DEL ZORRO SOLAR
PDS2019-AD-19-028
PDS2019-ER-19-11-003

March 25, 2021

I. HABITAT LOSS PERMIT ORDINANCE – Does the proposed project conform to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings?

YES
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NO
☐

NOT APPLICABLE/EXEMPT
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Discussion:

While the proposed project and off-site improvements are located outside of the boundaries of the Multiple Species Conservation Program, the project site and locations of any off-site improvements do not contain habitats subject to the Habitat Loss Permit/Coastal Sage Scrub Ordinance. Therefore, conformance to the Habitat Loss Permit/Coastal Sage Scrub Ordinance findings is not required.

II. MSCP/BMO - Does the proposed project conform to the Multiple Species Conservation Program and Biological Mitigation Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

The proposed project and any off-site improvements related to the proposed project are located outside of the boundaries of the Multiple Species Conservation Program. Therefore, conformance with the Multiple Species Conservation Program and the Biological Mitigation Ordinance is not required.

III. GROUNDWATER ORDINANCE - Does the project comply with the requirements of the San Diego County Groundwater Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

The Project would obtain water from the existing well at the La Casa Del Zorro resort for both construction and operational needs. Water usage for the project would be limited to water required for the initial construction and water for periodic washing of the solar panels once installed. It is estimated that approximately 15,000 gallons of water will be required for initial construction. Ongoing water needs would be minimal, with use of a half-gallon per module per washing. Typically, two washings per year are assumed, however more may be required if necessary due to weather and site conditions during operation. The Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

IV. RESOURCE PROTECTION ORDINANCE - Does the project comply with:

The wetland and wetland buffer regulations (Sections 86.604(a) and (b)) of the Resource Protection Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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The Floodways and Floodplain Fringe section (Sections 86.604(c) and (d)) of the Resource Protection Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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The [Steep Slope](#) section (Section 86.604(e))?

YES
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NO
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NOT APPLICABLE/EXEMPT
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The Sensitive Habitat Lands section (Section 86.604(f)) of the Resource Protection Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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The Significant Prehistoric and Historic Sites section (Section 86.604(g)) of the Resource Protection Ordinance?

YES
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NO
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NOT APPLICABLE/EXEMPT
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Discussion:

Wetland and Wetland Buffers:

The site contains no wetland habitats as defined by the San Diego County Resource Protection Ordinance. The site does not have a substratum of predominately undrained hydric soils, the land does not support, even periodically, hydric plants, nor does the site have a substratum that is non-soil and is saturated with water or covered by water at some time during the growing season of each year. Therefore, it has been found that the proposed project complies with Sections 86.604(a) and (b) of the Resource Protection Ordinance.

Floodways and Floodplain Fringe:

Construction associated with the project will not be located within a Floodway or Floodplain fringe. Therefore, it has been found that the proposed project complies with Sections 86.604(c) and (d) of the Resource Protection Ordinance.

Steep Slopes:

The average slope for the property is less than 25 percent. Slopes with a gradient of 25 percent or greater and 50 feet or higher in vertical height are required to be placed in open space easements by the San Diego County Resource Protection Ordinance (RPO). There are no steep slopes on the property. Therefore, it has been found that the proposed project complies with Sections 86.604(e) of the RPO.

Sensitive Habitats:

Sensitive habitat lands include unique vegetation communities and/or habitat that is either necessary to support a viable population of sensitive species, is critical to the proper functioning of a balanced natural ecosystem, or which serves as a functioning wildlife corridor. No sensitive habitat lands were identified on the site. Therefore, it has been found that the proposed project complies with Section 86.604(f) of the RPO.

Significant Prehistoric and Historic Sites:

The property has been surveyed by a County of San Diego approved archaeologist and it has been determined there is one (or more) archaeological/historical site(s) present. Testing and other investigation determined the archaeological/historical site does not meet the definition of significant site and does not need to be preserved under the Resource Protection Ordinance. Therefore, the project complies with the RPO.

V. STORMWATER ORDINANCE (WPO) - Does the project comply with the County of San Diego Watershed Protection, Stormwater Management and Discharge Control Ordinance (WPO)?

YES
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NO
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NOT APPLICABLE
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Discussion:

A Stormwater Quality Management Plan (SWQMP) was prepared for the project by Aztec Engineering dated November 23, 2020. The SWQMP has been reviewed and found to be complete and in compliance with the WPO.

VI. NOISE ORDINANCE – Does the project comply with the County of San Diego Noise Element of the General Plan and the County of San Diego Noise Ordinance?

YES
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NO
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NOT APPLICABLE
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Discussion:

Staff have reviewed the project plans and Noise Letter Study prepared by Greenskies, dated February 26, 2020. Based on the information provided, the project complies with

the County's Noise Ordinance, Sections 36.404, 36, 408 through 410. The project consists of a 750kW photovoltaic solar energy system. The proposed project includes 2,333 solar modules, five inverters, and will be mounted on a portion of a 6.54-acre site. The main source of noise would be from the transformer and single axis tracking motors. Based on the equipment's specifications, the noise levels from these sources would comply with the most stringent noise level limit of 45 dBA at the nearest property lines. The nearest noise sensitive receptors are located at appropriately 100 feet from the noise source. The equipment would generate 66.76 dBA at 10 feet and at 100 feet, the noise levels would be attenuated to maximum of 42.4 dBA during the daytime and a maximum of 39.5 dBA during the night. In addition, the tracking motor is approximately 75 feet from the nearest property line, would result in 41.4 dBA at that distance. Based on this information, the project would comply with the Noise Ordinance, Section 36.404.

Noise Ordinance Sections 36.408 through 36.410, regulate temporary noise. The project will consist of grading that will occur in on one phase for approximately 90 days. Equipment would include backhoe, trucks, excavator, and pile driver. Section 36.409 of the County Noise Ordinance states that construction noise shall not exceed the average sound level of 75 dBA for an eight-hour period at the property line between 7 a.m. to 7 p.m. No impulsive construction equipment is proposed. The project will also be conditioned for the temporary noise measures to ensure that the noise levels from the construction activities would not exceed the noise standards pursuant to the Noise Ordinance, Sections 36.408 through 410.